

MOTION BY SUPERVISOR GLORIA MOLINA

July 3, 2007

The Los Angeles County Registrar-Recorder/County Clerk is responsible for the management of vast amounts of data and documents, and operates the largest voting jurisdiction in the United States—3,899,397 registered voters in 2006--who vote at more than 5,000 polling places.

These vast responsibilities are complicated by the challenge of performing these tasks in an environment of rapidly developing technological advances and changing legislative directives. The federal Help America Vote Act outlines important milestones and strict deadlines for installing electronic voting equipment, and supplies the funds to purchase the updated technologies

These factors contribute to practices in the Registrar's office that too often run counter to the County's competitive procurement policies. These policies exist to ensure that the contractor who submits the proposal that meets the overall best interests of the County is selected. It is the County's belief that market forces will bring forth the best proposal or product currently available, at the best price available. The

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RFP process also provides smaller businesses and women-owned and minority-owned businesses with an avenue to participate using the same criteria for success as larger, established firms.

The Registrar-Recorder and staff recently demonstrated instances where they sacrificed the benefits of competitive procurement. The contract before us today first came to the Board's attention as a Notification of Intent to Negotiate a Sole Source Contract with Global 360, BGS. After questions were raised regarding sole source contracts, the Global 360, BGS contract reappeared on the agenda as a contract extension.

On May 31, the Department provided a Notification of Intent to Negotiate a Sole Source Contract with Bowe, Bell and Howell for absentee voter ballot equipment and services. The Registrar-Recorder conducted market research of available equipment to meet the Absentee Vote by precinct requirements of A.B. 2770, and without pursuing any other competitive process, concluded that only the Bowe, Bell and Howell product met their requirements. Another sole source request for computer software to improve the operation of the Call Center support system will appear on the Board agenda in the near future. The program, AskED Help Desk, may significantly improve customer service and streamline election day troubleshooting. But are these the best products on the market? Are they the most cost effective? Are they the most consumer friendly? We will never know the answers to these questions because, again, the department has pre-shopped for these products, made its comparisons, and selected this vendor absent standard competitive procurement requirements.

I, THEREFORE MOVE, that

1. The CEO conduct a comprehensive review of procurement processes in the Department of the Registrar-Recorder/County Clerk with particular attention to how sole source contracts are handled, to determine if these contracts are consistent with County policy as outlined in Internal Services Department (ISD) written policies and Board of Supervisors written policy; and
2. Establish protocols and timelines for the procurement process for the Registrar-Recorder/County Clerk that ensures solicitations are released with sufficient time to conduct an RFP, select the option that serves the best interest of the County, and install purchased equipment with sufficient time for testing and verification prior to scheduled elections; and report back by July 26, 2007 for discussion at the July 31, 2007 Board of Supervisors meeting.